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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,234	11/13/2003	Lawrence M. Kauvar	388512010410	1178

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EXAMINER

YANG, NELSON C

ART UNIT	PAPER NUMBER
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1641

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/713,234	KAUVAR, LAWRENCE M.	
	Examiner	Art Unit	
	Nelson Yang	1641	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-17, 19 and 21-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-17, 19, 21, 22 and 26-31 is/are rejected.
- 7) ☒ Claim(s) 23-25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment of claims 14-17, and 19 is acknowledged and has been entered.
2. Applicant's addition of claims 21-31 is acknowledged and has been entered.
3. Claims 14-17, 19, 21-31 are currently pending.

Rejections Withdrawn

4. Applicant's arguments, see pgs. 6-7, filed August 9, 2004, with respect to the rejections under 35 U.S.C. 112, second paragraph, have been fully considered and are persuasive. The rejection of claims 14-17, 19, under 35 U.S.C. 112, second paragraph, has been withdrawn.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 14-17, 19, 21-22, 26-31 are rejected under 35 U.S.C. 102(a) as being anticipated by Gasman et al [Gasman et al, Identification of a potential effector pathway for the trimeric G_o protein associated with secretory granules, 1998, J Bio Chem, 273(27), p.16913-16920]. Gasman et al teach the observation of intracellular localization of Rho in chromaffin cells (p.16913, col.1) and that Rho, along with trimeric G proteins have been associated with exocytosis (column 16913, col.2). Gasman et al further teach chromaffin cells grown on fibronectin coated glass coverslips and fixed for 15 minutes in 4% paraformaldehyde where immunofluorescence

staining was monitored with a Zeiss laser scanning microscope (p.16914, col.2). To investigate the intracellular distribution of Rho in chromaffin cells, the exoenzyme C3 of *C.botulinum* was used (p.16915, cols.1-2). The intracellular distribution of RhoA in cultured chromaffin cells was examined by immunofluorescence and confocal microscopy (p.16916, col.1). Further studies involved studying the effect of mastoparan and GAP-43 on the secretory granule associated phosphatidylinositol 4-kinase activity (p.16916, cols.1-2). Gasman et al teach that mastoparan strongly stimulated the formation of radiolabeled PtdInsP in purified chromaffin granule membranes. This activity was not significantly affected by LY294002 but was largely inhibited by quercetin (p.16916, col.2, fig. 4B). Gasman et al further teach that mastoparan has been reported to activate G_i and G_o proteins, and that the effect of mastoparan is completely abolished by anti- $G_{\alpha o}$ antibodies (p.16917, col.1).

Response to Arguments

7. Applicant's arguments with respect to claims 14-17, 19 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

8. Claims 23-25 are allowed.

9. Claims 23-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10. The following references are also cited as art of interest: Hayashida et al [Hayashida et al, Intracellular third loop domain of angiotensin II type 2 receptor: role in mediating signal transduction and cellular function, 1996, J Bio Chem, 271(36), 21985-21992] studies the effects of pertussis toxin and sodium orthovanadate on the antagonistic effect of AT2-3LP on mitogen-activated protein kinase activity.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson Yang whose telephone number is (571) 272-0826. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long V Le can be reached on (571)272-0823. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nelson Yang
Patent Examiner
Art Unit 1641


LONG V. LE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600

10/29/04